

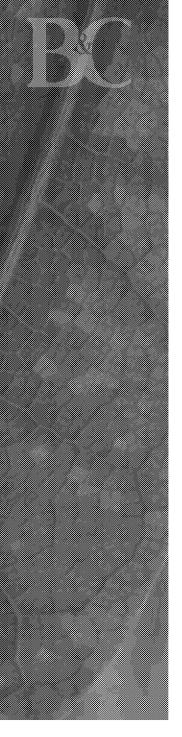
BERGESON & CAMPBELL PC

Bloomberg BNA/
Bergeson & Campbell, P.C.
Chemical Policy Summit Series

Part V:

2019 Outlook
EPA Office of Chemical Safety and
Pollution Prevention (OCSPP)

February 20, 2019



Program

Opening -- Lynn L. Bergeson, Managing Partner, Bergeson & Campbell, P.C. (B&C®)

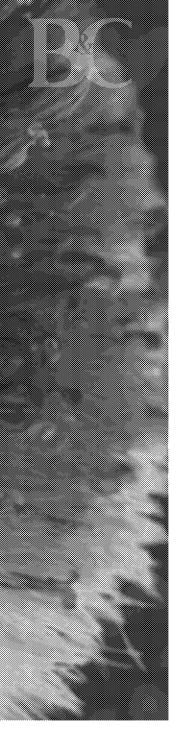
Alexandra Dapolito Dunn Assistant Administrator, OCSPP, U.S. Environmental Protection Agency (EPA)

James V. Aidala, Senior Government Affairs Consultant, B&C

Beau Greenwood, Executive Vice President, Government Affairs, CropLife America

Questions

Close





Alexandra Dapolito Dunn
Assistant Administrator
OCSPP
EPA

EPA Office of Chemical Safety and Pollution Prevention (OCSPP)

Accomplishments and Priorities under TOXIC SUBSTANCES CONTROL ACT (TSCA) and FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)

Alexandra Dapolito Dunn OCSPP EPA February 20, 2019



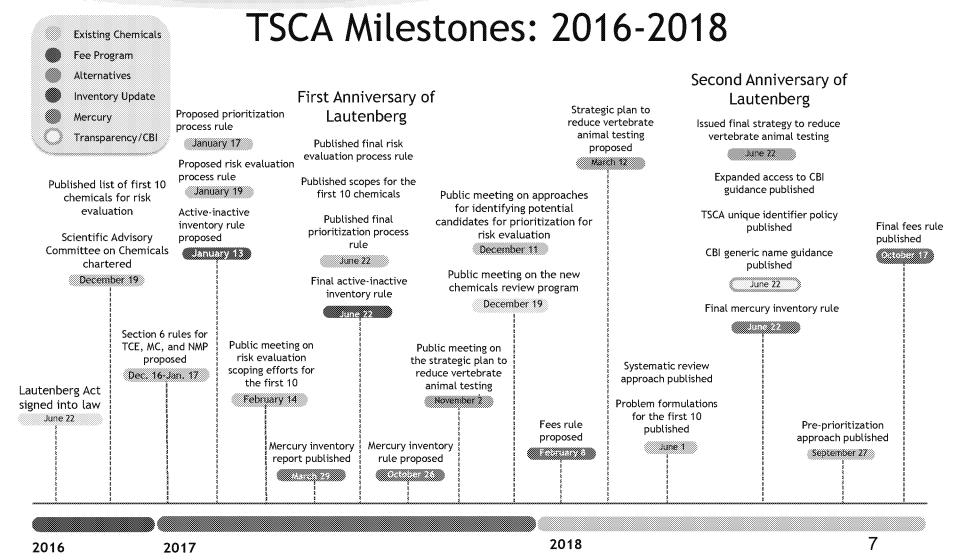
TSCA and FIFRA Priorities

- Delivering results and meeting statutory requirements
- Maintaining transparency and engaging partners, stakeholders, and the public
- Relying on the best available science
- Increasing public confidence in chemical and pesticide safety
- Ensuring environmental justice

TOXIC SUBSTANCES CONTROL ACT (TSCA)

ACCOMPLISHMENTS
and
PRIORITIES

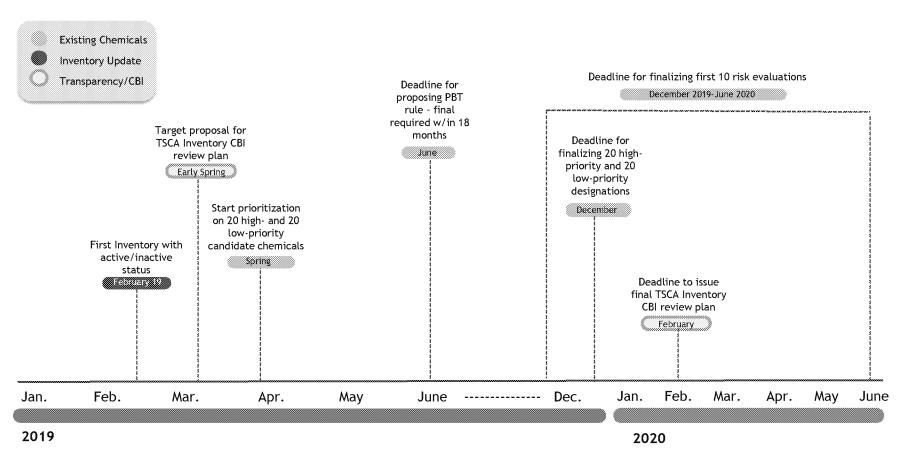




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TSCA Milestones: 2019 and Beyond



TSCA NEW CHEMICALS PROGRAM

UPDATE

FEDERAL INSECTICIDE, FUNGICIDE, and RODENTICIDE ACT (FIFRA) ACCOMPLISHMENTS and PRIORITIES



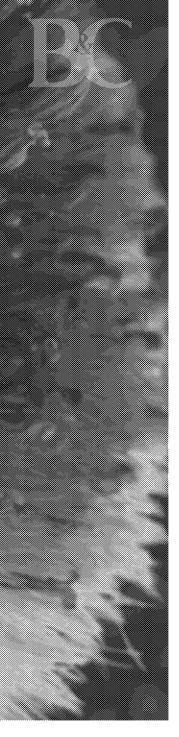
2018 Accomplishments under FIFRA and the Pesticide Registration Improvement Act (PRIA)

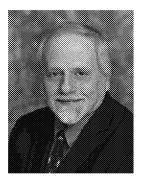
- Completed 99.7% of registration actions on-time
- Registered 23 new active ingredients and 147 new uses of existing pesticides
- Registration Review -- As of the end of fiscal year (FY) 2018, the Office of Pesticide Programs (OPP) has completed:
 - √ 461 draft risk assessments
 - √ 374 proposed interim decisions
 - √ 304 final or interim decisions
- Worked collaboratively with state and Federal partners
 - Critical in making 2018 decision to extend the "over the top" registrations of dicamba
- Advanced alternatives to animal testing
 - In FY18 alone, OCSPP prevented use of 16,500 test animals and saved the regulated community >\$8.9 million in costs by waiving data requirements



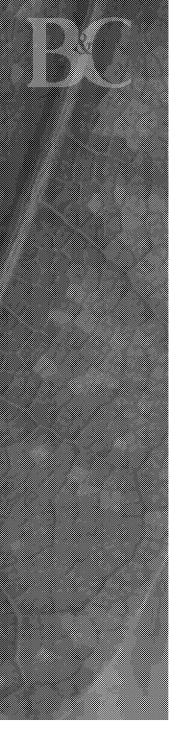
FY19 FIFRA Priorities

- Continue to meet PRIA statutory deadlines and make progress the registration review program
 - Complete proposed interim decisions for glyphosate, atrazine neonicotinoids, and pyrethroids
- Engage and collaborate with Federal partners on Endangered Species Act (ESA) and biotechnology
- Continue to advance critical science and policy issues



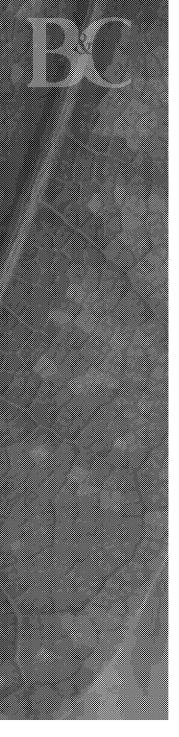


James V. Aidala
Senior Government Affairs Consultant
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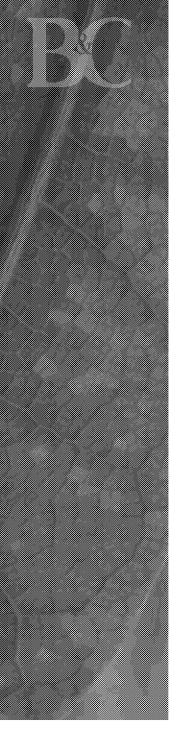
2019 Outlook

- Leadership
- Operating Environment
- New TSCA -- Not So New Anymore
- FIFRA -- Older, but Always New Issues



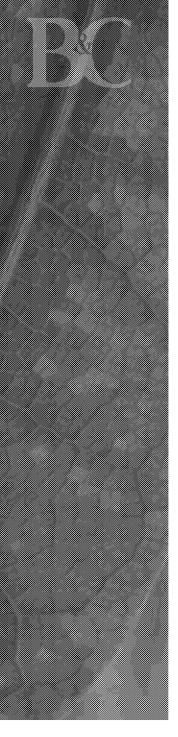
2019 Outlook -- EPA Leadership

- Administration appointments slow to arrive
- Acting Administrator Wheeler pending approval as Administrator
 - Mr. Wheeler former employee of EPA/Office of Pollution Prevention and Toxics (OPPT)
- OCSPP Assistant Administrator approved in December 2018
- Welcome to Alex Dunn in February 2019
- Correspondence between Senate Environment and Public Works (EPW) Committee and White House may signal somewhat better relationship



2019 Outlook -- Operating Environment

- Intimidating workload, legislative deadlines (FIFRA and TSCA)
- Controversial science issues
 - Complex risk assessment models and difficult communication of policy choices
- Elections and oversight
 - House Majority promises aggressive oversight: EPA accountable to > 50 Committees and Subcommittees (30 in House; 21 in Senate)
 - Election 2020 begins
- Litigation
 - Non-governmental organization (NGO) emphasis after 2016 election
 - Diminished court deference to Agency
- Budget/Workforce
 - Shutdowns, pay, retirement policies -- impact morale, recruitment

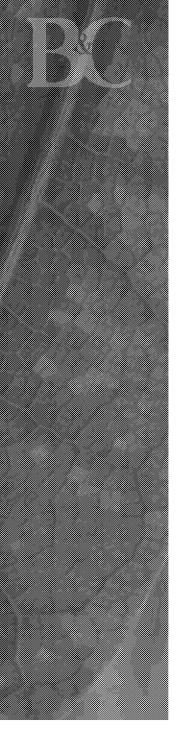


2019 Outlook -- TSCA Adolescence

- Resolving New Chemicals Issues and Delays
 - Smooth running/predictable operation still elusive
 - Interpretation of "reasonably foreseen" uses and adequacy of data subject to intense debate
- Meeting Deadlines and Managing Workload for Existing Chemicals
 - Includes prioritization, preparation and peer review of risk evaluations, and Section 6 regulatory actions
 - Statutory requirements for chemical priority reviews and first risk assessments will be difficult and subject to dispute
 - Important precedents about legislative definitions, science assumptions
 - All represent novel and difficult undertakings

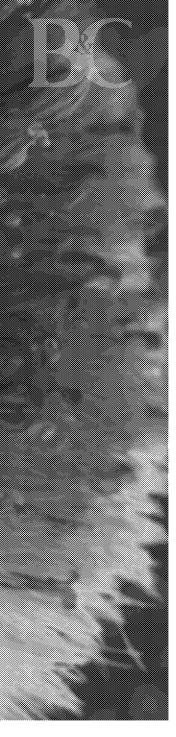
Litigation

Foundational policy choices and definitions subject to policy disputes and litigation — outcomes could disrupt New TSCA implementation



2019 Outlook -- FIFRA Never Gets Old

- PRIA 4 -- Policy disputes delayed consensus
 - Delays result in PRIA expiration -- now bigger lift
- ESA issues remain difficult (since 2001)
 - Administration promise of memorandum of understanding (MOU) across agencies
 - Bush, Obama Administrations efforts frustrated
 - 2018 Farm Bill codifies attempt to foster more successful cooperation and coordination
- Registration Review deadlines loom (2022)
 - Individual pesticides issues consume time and resources
 - Chlorpyrifos, Glyphosate, Dicamba, among others
- Complex science assessments about existing and emerging issues
 - Drift exposures, sensitive populations, global assessments





Beau Greenwood

Executive Vice President, Government Affairs

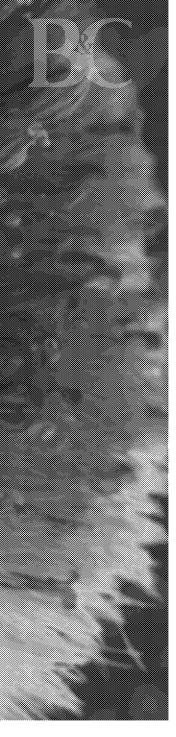
CropLife America



Chemical Policy Summit Series

- CropLife America
- FIFRA Sufficiency
- PRIA
- ESA-Farm Bill





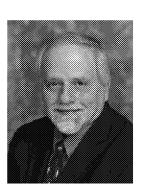
Questions



Alexandra Dapolito Dunn Assistant Administrator OCSPP EPA



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Thank You

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